

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Luan Do (reg. 38434) on 6/6/08

Claim 71, line 1, between "A" and "program" add "executable".

Claim 71, line 5, between "said" and "program" add "executable".

### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

The prior art of record, both alone and in combination, does not teach the subject matter of the claims as claimed an arranged by applicant.

Further, with regards to claim 71, the claimed subject matter relates to a recording medium, which excludes the communications medium as defined on page 78 lines 4-6 of applicant's specification. Additionally, the claims per the Examiner's amendment exclude non-executable programs.

Claims 39, 40, 42-56, 59-61 and 70-74 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hunter B. Lonsberry/  
Primary Examiner  
Art Unit 2623

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